

**REMARKS**

Claims 22-25 are new. Claims 1 and 2 have been amended. Claims 1-4, 7, 8, and 22-25 are currently pending based on the amendment herein.

The Examiner rejected claims 1, 7 and 8 under 35 U.S.C. §102(e) as allegedly being anticipated by Ying et al. USPN 6,300,252.

The Examiner rejected claims 2-4 under 35 U.S.C. §103(a) as allegedly being unpatentable over Ying et al. in view of Motsiff et al. US Patent No. 5,731,624.

Applicants respectfully traverse the §102 and §103 rejections with the following arguments.

**35 U.S.C. §102**

Claims 1, 7 and 8 are rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Ying et al. USPN 6,300,252.

The Examiner alleges that "Ying et al. disclose (see figs. 3-5 and col. 7, lines 4-61) a semiconductor device comprising a substrate; at least one fuse 46 embedded within an interior portion of the substrate; a continuous etch resistant layer 54 comprising silicon nitride (as in claim 7) having a thickness which falls within the recited range (as in claim 8) on an exterior surface of the substrate, wherein the etch resistant layer is directly over an entire surface the at least one fuse; and at least one insulative layer above the etch resistant layer, wherein the etch resistant layer has a slower etch rate than that of the at least one insulative layer thereabove".

As to claim 1 as amended, Applicants respectfully contend that Ying does not anticipate claim 1, because Ying does not teach each and every feature of claim 1. For example, Ying does not teach the feature of "wherein the etch resistant layer is in **direct contact** with the at least one fuse" (emphasis added). Ying does not teach that an etch resistant layer is in **direct contact** with a fuse as described by Applicant's claim 1. In contrast, Ying teaches a fuse and an etch resistant layer **separated** by a dielectric material 52 as shown by FIGS 3-5. Therefore, Applicants contend that Ying does not teach the preceding feature of claim 1. Based on the preceding arguments, Applicants respectfully maintain that Ying does not anticipate claim 1, and that claim 1 is in condition for allowance. Since claims 2-4, 7 and 8 depend from claim 1, Applicants contend that claims 2-4, 7 and 8 are likewise in condition for allowance.

35 U.S.C. §103

Claims 2-4 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Ying et al. in view of Motsiff et al. US Patent No. 5,731,624.

The Examiner alleges that "Ying et al disclose the device structure as recited in the claim, but do not specifically disclose an alignment mark. Motsiff et al disclose an alignment mark 7 comprising an etch resistant layer (as in claim 3) formed on the substrate at a location spatially removed from a fuse. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to incorporate the teachings of Motsiff et al, since that would improve the operability of the melting fuse".

As to claim 2 as amended, Applicants respectfully contend that claim 2 is not unpatentable over Ying in view of Mostiff because Ying and Mostiff do not individually or collectively teach or suggest each and every the feature of claim 2. For example, Ying and Mostiff do not individually or collectively teach or suggest the feature of an "alignment mark is adapted to provide an optical target for a laser". Applicants contend that Mostiff does not teach or suggest alignment mark adapted to provide an optical target for a laser as taught by Applicant's claim 2. In contrast, Mostiff teaches a controlled collapse chip connection (C4) barrier 7 (see Mostiff, col. 2, lines 22-23) for protection of a copper interconnect structure. The Examiner admits that Ying "do not specifically disclose an alignment mark". Therefore, Applicants contend that Ying and Mostiff do not individually or collectively teach or suggest the preceding feature of claim 2. Based on the preceding arguments, Applicants respectfully believe that claim 2 is in condition for allowance. Since claims 3 and 4 depend from claim 2, Applicants contend that claims 3 and 4 are likewise in condition for allowance.

Serial No.: 09/684,463

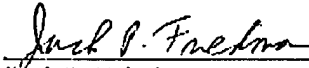
6

**CONCLUSION**

Based on the preceding arguments, Applicants respectfully believe that all pending claims and the entire application meet the acceptance criteria for allowance and therefore request favorable action. If the Examiner believes that anything further would be helpful to place the application in better condition for allowance, Applicants invites the Examiner to contact Applicants' representative at the telephone number listed below.

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Serial No.: 09/684,463

7